



**Health, Housing & Community Services Department
Public Health Officer**

**ORDER OF THE HEALTH OFFICER
OF THE CITY OF BERKELEY RESCINDING THE COVID-19 LABORATORY
TEST REPORTING ORDER**

DATE OF ORDER: September 27, 2022

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120275 et seq.)

Summary of Order: This order rescinds the Health Officer Order requiring all laboratories conducting COVID-19 diagnostic tests to report results. All laboratories conducting COVID-19 diagnostic tests must continue to follow all federal and state reporting requirements.

The City of Berkeley Health Officer issued the COVID-19 laboratory reporting requirement on March 24, 2020. Since that time, state laboratory reporting requirements and systems have been updated to provide sufficient case data for COVID-19 to the City of Berkeley local health jurisdiction.

ORDER

UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101475 AND 120175, THE CITY OF BERKELEY HEALTH OFFICER (“HEALTH OFFICER”) ORDERS:

1. Effective September 29, 2022 at 12:01am the Health Officer’s Order Directing All Laboratories Conducting COVID-19 Diagnostic Tests to Report COVID-19 Test Information, issued March 24, 2020, is hereby rescinded. All laboratories must continue to follow all state reporting requirements.
2. The Health Officer will continue to monitor several key indicators to inform the decision whether to reinstate or otherwise modify this Order. The Health Officer will continually review whether modifications to the Order are warranted based on (1) progress in countering the spread of COVID-19 in the City; (2) developments in methods and strategies for preventing and treating COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.
3. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the March 3, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the City, the March 10, 2020 Resolution of the City



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Council Ratifying the Proclamation of Local Emergency, and guidance issued by the CDPH and CDC, as each of them have been and may be supplemented.

4. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer and subsequent orders and guidance issued by the Governor, the State Health Officer, and the California Department of Public Health and Department of Industrial Relations. The Health Officer may adopt more stringent restrictions and requirements addressing the particular facts and circumstances in the City, necessary to control the public health emergency as it is evolving within the City and the region. Where a City Health Officer Order and any state public health order related to the COVID-19 pandemic conflict, the most restrictive provision controls.
5. The City must promptly provide copies of this Order as follows: (1) by posting on the City's website (cityofberkeley.info); (2) by posting at Old City Hall, located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704; and (3) by providing to any member of the public requesting a copy.
6. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

A handwritten signature in blue ink, appearing to read "Lisa B. Hernandez".

Lisa B. Hernandez, MD, MPH
Health Officer, City of Berkeley

Date: 09/27/2022